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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/306,038 05/06/99 RUDD

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EXAMINER

WM01/0504

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TRAN: D

ART UNIT

PAPER NUMBER

2643

DATE MAILED:

05/04/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/306,038

Applicant(s)
Rudd et al

Examiner
Quoc D. Tran

Art Unit
2643



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 26, 2001
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above, claim(s) 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claim 1 of the amendment, the specification neither shown or teach the features of the claimed subject matters (i.e., said voice channel being divided into data packet time slots, each time slot of said time slots respectively corresponding assigned identification number of said each telephone).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 1, and 3-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Han (5,991,397).

Consider claim 1, Han teaches a method for providing an one-way communication among a selected group of telephones in a telephone system having a plurality of telephones (col. 1 lines 15-23), comprising the steps of assigning a group number to each of the plurality of telephones; selecting a group number at a paging telephone selected from the plurality of telephones (col. 1 lines 34-38, col. 2 lines 7-10, col. 4 lines 54-58); and causing a one-way communication to be automatically setup through voice channel of the telephone system to a group of telephone having the selected group number (col. 1 lines 59-63, col. 2 lines 32-50, col. 6 line 46-57).

Consider claim 3, Han teaches the step of converting the broadcast communication to a two-way voice communication by answering the page (see col. 7 lines 2-9).

Consider claims 4-5, Han teaches where the one-way voice communication is set up via a data packet and wherein the data packet comprising a number corresponding to the selected group number (col. 6 lines 64-65).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, are rejected under 35 U.S.C. 103(a) as being unpatentable over Han (5,991,397) in view of Khojasteh (5,699,417).

Consider claim 2, Han teaches that the information about the caller (i.e., caller ID) is broadcasted (col. 4 lines 17-19). Han failed to suggest of displaying the information about the caller. However, Khojasteh teaches the method for transmitting caller information in telephone system and displaying the information thereto (col. 2 line 18-24 and lines 36-44). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Khojasteh into view of Han in order to address the caller information in the form of data instead of voice.

7. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han (5,991,397).

Consider claim 6, Han teaches that the one-way communication is convert into a two-way communication upon the paged subscriber's device goes off-hook. Han failed to specify that another data packet is initiated to perform the two-way communication. However, the examiner take official notice that it is obvious to one of the ordinary skill in the art to acknowledge that another data packet is initiated in order to direct the processing unit to convert the broadcast call into a two-way conversation.

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Consider claims 7-8, Han teaches a timer for setting a predetermined period for the one-way communication response (see col. 5 line 52-63). Han failed to suggest the step of terminating the one-way communication when the paging telephone is on-hook or when the predetermined time has expired. However, the examiner take official notice that one of the ordinary skill in the art would acknowledge that when the caller place the telephone on an on-hook condition when the predetermined time has expired, the communication is terminated. Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to include the step of terminating the communication when the paging telephone is on-hook.

Consider claim 9, the limitation "...selected group comprises all telephones in the system" is a well known feature such as "page all" or "intercom all". Therefore, it is obvious to one of the ordinary skill in the art include the all the telephones of the system in a group in order to broadcast a message to all the phones connected within.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Han (5,991,397) in view of Heep et al (4,996,709).

Consider claim 11, Han teaches a multi line telephone system for providing paging feature comprising a first telephone for selecting a group of telephone in the system (col. 1 lines 20-22, and col. 6 lines 46-49); a first telephone initiate a voice message to the group of telephone; and the group of telephones receives and play the voice message from the first telephone automatically regardless of user action and wherein anyone of said group of telephones after hearing said voice message can initiate a two way conversation with the user of the first telephone (col. 7 lines 2-9).

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Han failed to suggest a half-duplex channel for communication. However, Heep et al teach an intercom system where communication can be established in half-duplex or full-duplex mode (col. 1 lines 53-55).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Heep et al into view Han in order to provide different modes of communication.

Response to Arguments

9. Applicant's arguments filed 02/26/2001 have been fully considered but they are not persuasive.

Regarding claim 11, Applicant's argued that neither Han or Heep et al anticipates or suggests the claimed limitation of the amended claim 11 (i.e., any one of a group of telephones after hearing a voice message can initiate a two-way conversation with a user of a first telephone).

Accordingly, the examiner disagreed with applicant argument. Han does suggested such feature. Han recited that a call conversation service associated with the incoming call from the central office line can be executed when the extension subscriber performs an off-hook in response to the broadcasted voice paging signal (see col. 7 lines 5-9).

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
12. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 308-6296 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Friday from 8:00 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703) 305-4700**.

13. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2643.


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600